



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*Mary Erickson, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8560*

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Tuesday, July 17, 2012

9:00 AM

Room 330 City Hall & Court House

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### Special Tax Assessments

- 1 [RLH TA](#)  
[12-345](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1211A, Assessment No. 128518 at 661 GERANIUM AVENUE EAST.

**Sponsors:** Bostrom

*Delete the assessment.*

*RE: 659-661 Geranium Ave (duplex)*

*Ron Mash, AREE Properties LLC, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Apr 12 with a compliance date of Apr 17, 2012
- re-checked Apr 18 and found in noncompliance
- work was done at a cost of \$687
- sent to previous owner
- refrigerators, mattress, rubbish, tire, broken grill in yard
- spoke with new owner, Ron Mash, who bought property in Feb 2012

*Mr. Mash:*

- under AREE Properties LLC
- closed Feb 21, 2012
- title company walked the documents down to the court house to get it switched
- he did not receive Notice; he didn't know a clean-up needed to be done
- a month or so ago, he got the bill of \$687 and called to ask what it was about
- had an inspection done on closing day and everything was clean

*Ms. Moermond:*

- will recommend the City Council delete this assessment because the County had not updated it's records

**Referred to the 8/15/2012 City Council**

- 2 **RLH TA**  
**12-164** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207A1, Assessment No. 128520 at 559 MCKNIGHT ROAD SOUTH (LAID OVER FROM COUNCIL FOR STAFF REPORT. TO BE LAID OVER TO 9/18/12 LEGISLATIVE HEARING AND 10/3/12 COUNCIL PUBLIC HEARING)

**Sponsors:** Lantry

*To be referred back to LH on December 18, 2012 and CPH on January 16, 2013.*

**Referred to the City Council due back on 10/3/2012**

- 4 [RLH TA  
12-378](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1210P, Assessment No. 128409 at 198 BAKER STREET EAST.

**Sponsors:** Thune

*Delete the assessment; waiver on file.*

**Referred to the 9/05/2012 City Council**

- 3 [RLH TA  
12-388](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1209B, Assessment No. 128109 at 995 ALBEMARLE STREET.

**Sponsors:** Brendmoen

*No show; approve the assessment.*

**Referred to the City Council due back on 8/15/2012**

- 5 [RLH TA  
12-379](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1211A, Assessment No. 128518 at 1361 BARCLAY STREET.

**Sponsors:** Bostrom

*Delete the assessment; inspector error.*

**Referred to the 8/15/2012 City Council**

- 6 [RLH TA  
12-383](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 12830 at 899 BURR ST.

**Sponsors:** Brendmoen

*Delete the assessment; received and processed check.*

**Referred to the 9/05/2012 City Council**

- 8 [RLH TA  
12-377](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 128310 at 1545 CLARENCE STREET.

*No show; approve the assessment.*

**Referred to the 9/05/2012 City Council**

- 7 [RLH TA  
12-364](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1211A, Assessment No. 128518 at 1022 CARROLL AVENUE.

**Sponsors:** Carter III

*Delete the assessment.*

*RE: 1022 Carroll Ave (townhome)*

*Wondu Seifu, owner, appeared.*

*Inspector Joe Yannarely:*

- clean-ups*
- Apr 19, 2012 one for tall grass/weeds and a dilapidated shed; compliance Apr 23; re-check Apr 24 found noncompliant*
- work done Apr 25, 2012 (grass) Apr 30, 2012 (shed) for a cost of \$603*
- sent to Fannie Mae*
- since then, they have sent Notices to Mr. Seifu, at the right address*

*Mr. Seifu:*

- bought house Dec 31, 2011 from Fannie Mae*
- letter was not sent to him so, he didn't know*
- when he received a letter to clean-up the premises, the shed was down*
- as soon as he received the next Notice, he went to clean up: mattress, couch, old computer, etc.*
- he is planning to rent it out*
- currently, a Vacant Building*
- going through a hard time because of the assessments for the last year, which showed up after he bought the unit*
- he had planned to sell it but that didn't go through*

*Ms. Moermond:*

- the assessments attach to the property not the owner*
- under state law, the seller is incumbent to tell the buyer*
- however, will recommend this assessment be deleted; as appellant did not receive proper notification*

**Referred to the 8/15/2012 City Council**

**9**      [RLH TA  
12-371](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1211A, Assessment No. 128518 at 1506 CONWAY STREET.

**Sponsors:**      Lantry

*Delete the assessment; Parks cleaned up before the date they should have due to inspector error.*

**Referred to the 8/15/2012 City Council**

**10**      [RLH TA  
12-381](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1209B, Assessment No. 128109 at 26 DALE STREET SOUTH 102.

**Sponsors:**      Thune

*No show; approve the assessment.*

**Referred to the 9/05/2012 City Council**

**11**      [RLH TA  
12-374](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 128310 at 1075 FRONT AVENUE.

**Sponsors:** Brendmoen

*No show; approve the assessment.*

**Referred to the 9/05/2012 City Council**

- 12 [RLH TA  
12-372](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No.128310 at 345 HOPE STREET.

**Sponsors:** Lantry

*Approve the assessment.*

*RE: 345 Hope St (single family)*

*Mai Yer Soung, owner, appeared.*

*Inspector Paula Seeley:*

- Excessive Consumption charge of \$85 for an inspection*
- Summary Abatement Notice issued Mar 8; compliance date Mar 14; re-checked Mar 15 and found noncompliant*
- Notice sent to Mai Soung in Loretto MN and to Corcoran, MN and to Jimmy Yang at 345 Hope St*
- the SA and EC were returned mail for Soung at both addresses; Jimmy Yang, only, received the Notice*

*Ms. Soung:*

- Mr. Yang is her son-in-law, the tax owner*
- she is selling it to him on Contract for Deed*

*Ms. Moermond:*

- they sent Orders for a clean-up to happen on Mar 8, 2012; it was supposed to be cleaned up Mar 14 but it wasn't*
- will recommend the assessment be approved*

**Referred to the 9/05/2012 City Council**

- 13 [RLH TA  
12-356](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1210P, Assessment No. 128409 at 1122 MAGNOLIA AVENUE EAST.

**Sponsors:** Bostrom

*Delete the assessment; waiver on file.*

**Referred to the 9/05/2012 City Council**

- 14 [RLH TA  
12-382](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 128310 at 343 MAPLE STREET.

**Sponsors:** Lantry

*Delete the assessment; received and processed check.*

**Referred to the 9/05/2012 City Council**

- 15      [RLH TA  
12-422](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1209P, Assessment No. 128408 at 745 MARGARET STREET.
- Sponsors:**      Lantry
- Delete the assessment; waiver on file.*
- Referred to the 8/15/2012 City Council**
- 16      [RLH TA  
12-373](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 128310 at 359 MARIA AVENUE.
- Sponsors:**      Lantry
- No show; approve the assessment.*
- Referred to the 9/05/2012 City Council**
- 18      [RLH TA  
12-424](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1209B, Assessment No. 128109 at 1664 SELBY AVENUE.
- Sponsors:**      Stark
- Delete the assessment; there was a miscommunication.*
- RE: 1664 Selby Ave (apartments)*
- Ron Lindgren, tax owner, appeared.*
- Inspector Paula Seeley:*
- emergency boarding requested by Fire at 6:15 p.m., Apr 30, 2012
  - cost \$530
  - do not receive the Fire Reports
  - some of the cost is for a debris clean-up
  - secured 5 openings with 2 boards; silicon caulk; debris clean-up
  - photos
- Mr. Lindgren:*
- at 5:00 p.m. Mon Apr 30, 2012, a fire occurred at his 4-plex
  - it was an electrical fire that started in the attic crawl space above the apartments (above the smoke detectors)
  - he and his tenant live on the upper floor and were home at the time
  - one of his tenants below him noticed the Fire Department coming and notified him
  - they all got out of the building
  - he is a painting and taping contractor; has been in construction 35 years
  - Chief Smith, Fire, said to him, "We have a guy who has a contract with the city; I can get him over here to patch your roof." Mr. Lindgren said, "Great! Get him over here."
  - you have to seal the roof once the fire is over
  - Fire Dept cut a series of 18 in x 18 in holes looking for the fire to see how far it spread; once they found the fire, they cut a huge 80 in x 32 in and started shoving the hose down it, plus they are ripping ceilings down in the apartments below
  - the guy, Don Johnson, from Restoration Professionals shows up and says he's going to patch the roof and seal the edges. Mr. Lindgren said, "Great! Get up there and do it."
  - he took Chief Smith's recommendation that this guy has a contract with the city so he's qualified to do this work

- the following evening, it rained 3/4 in and every patch leaked; he caused tens of thousands of dollars in additional damage to his building; he lost 5 more ceilings; walls had to be ripped out; and hardwood floors were damaged; this guy did not know what he was doing
- Mr. Lindren found this Wed morning when he came to the building; he called up Restoration Professionals and said, "What the heck is going on?"
- Mr. Johnson wasn't there but the guy he talked to said, "We have a contract with the city to board up houses to keep pests away." Mr. Lindgren asked him why they were representing themselves as roofers?
- when Mr. Johnson handed Mr. Lindgren his business card and shook his hand; at that point, they had a contract (doesn't know how the city got involved with this because Chief recommended him and Mr. Lindgren said, "Fine, I'll hire him."
- Mr. Lindgren would not have paid this guy a penny after all the damage he did to his building
- on Wed when he spoke with Restoration Professionals, they recommended a professional roofing company to come over (he paid them \$1,037 to patch the roof correctly)
- this has him totally worked up; this guy was totally incompetent; Chief Smith has no business recommending this guy
- he could have gotten his buddy who would have patched the roof correctly for him; you need to seal the roof in case it rains - you want to keep the water out
- he has statements from professional roofers who state that the roof had been patched incorrectly
- he and his tenant across the hall had to move out of the building for a while
- he just ran out of insurance money so he's living in a relative's basement right now until the building is finished (another 3 months)
- over \$300,000 worth of damage
- Fire Dept came 3 times - ripped ceilings and blew water all over the place (smoldering problems)
- entered photos of roof patching done right

*Inspector Joel Essling:*

- Restoration Professionals is not repairing roofs; they are simply securing the building from illegal entry

*Ms. Moermond:*

- what is tripping her up is the Chief referring to the boarding contractor as a roofing contractor
- will recommend deleting the assessment; there was a miscommunication about what the contractor was doing; it wasn't clear to the Appellant

#### **Referred to the 9/5/2012 City Council**

17 [RLH TA  
12-385](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1209, Assessment No. 128814 at 576 MARYLAND AVENUE WEST.

**Sponsors:** Brendmoen

*Delete the assessment.*

*RE: 576 Maryland Ave W (commercial)*

*John Greenlee and his wife, owners, appeared.*

*Inspector Joe Yannarely:*

- recommends this assessment for the Vacant Building fee be deleted
- he tried to call Mr. and Mrs. Greenlee

- the building was demolished
- there was a Legislative Hearing Dec 13, 2011 and City Council met on Jan 4, 2012 on this matter
- returned mail for Jonathan Greenlee; no known address
- also sent to IB Holdings, Bayview Loan Servicing, Coral Gables
- staff does and Owner and Encumbrance Report from which they derive any addresses to which to sent (Ms. Moermond: basically, staff does a title search, which covers all possibilities; the city hires title insurance companies to do the searches)
- the Notice was also posted on site
- estimated demo cost approximately \$14,000
- there have been Vacant Building placards on the building since Apr 2011

Mr. and Mrs. Greenlee:

- Notice went to the previous owner and also to 576 Maryland Ave W but not to his address
- asking about the demolition of the building
- bought building Nov 2010
- had paid up taxes
- after he got married, he decided to sell the building and found that it had been demolished
- their address on file with the county is current
- they drove by and saw that the building was gone; they called the real estate agent, who said it was gone
- they have not gotten a proposed assessment bill yet
- saw the VB placard but didn't call the inspector listed on it; said he was inexperienced
- concerned that he may have gotten himself into a lot of financial distress

Ms. Moermond:

- advised the Greenlees to talk to financial and/or legal advisors to find out their best course of action in this case
- they could pay the assessment and sell the parcel; they could walk away; or fight the assessment in court
- the assessment stays with the property, not the individual
- it's a positive thing that the parcel is on a corner at a major intersection
- staff will copy the file and send it to the Greenlees
- will get a letter for the demolition assessment
- will recommend the assessment be deleted

**Referred to the 9/05/2012 City Council**

19 [RLH TA  
12-425](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1209, Assessment No. 128814 at 758 SIXTH STREET EAST.

**Sponsors:** Lantry

Approve the assessment.

RE: 758 Sixth St (single family)

Nicolai and Alex Avbulov appeared.

Inspector Joe Yannarely:

- Vacant Building fee: \$1,100 plus \$150 service charge = \$1,250
- Category 2 VB; file opened Sep 2010
- Code Compliance report done Aug 2011 but no permits have been pulled
- anniversary date: Sep 29, 2010

- VB fee covers
- this bill went out Aug 30, 2011; Sep 29, 2011; Mar 5, 2012 and Apr 30, 2012
- fee waive: Nov 3, 2011 per Ms. Moermond
- fee waive: Mar 29, 2012 per Rich Singerhouse

Alex:

- Nicolai's company is buying this building from our church, Orthodox Church of the Resurrection of Christ, Inc.
- plan to close within a month
- all the bills will be paid; everything will be current

Ms. Moermond:

- looks as though extensions have been given
- will recommend approving the assessment

**Referred to the 9/5/2012 City Council**

- 20**      [RLH TA  
12-386](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1209, Assessment No. 128814 at 1235 SIXTH STREET EAST.

**Sponsors:**      Lantry

*No show; approve the assessment.*

**Referred to the 9/05/2012 City Council**

- 24**      [RLH AR  
12-91](#)      Ratifying Collection of Vacant Building fees from April 2012. (File No. VB1209, Asmt No. 128814)

**Sponsors:**      Lantry

**Referred to the 9/05/2012 City Council**

- 21**      [RLH TA  
12-426](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1209B, Assessment No.128109 at 1910 UNIVERSITY AVENUE WEST.

**Sponsors:**      Stark

*No show; approve the assessment.*

**Referred to the 9/5/2012 City Council**

- 22**      [RLH TA  
12-389](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207E, Assessment No. 128310 at 1636 TAYLOR AVENUE.

**Sponsors:**      Stark

*Approve the assessment.*

*RE: 1636 Taylor Ave (duplex)*

*Siobhan Kane, owner, appeared.*

*Inspector Joel Essling:*

- there are 2 assessments: 1) Excessive Consumption fee for non-compliance; and
- 2) clean-up

- there is no Gold card
- have no Video prepared
- Summary Abatement issued Mar 23; compliance Apr 2, 2012
- re-inspected Apr 2 and found non compliant
- a \$50 Excessive Consumption fee was issued for noncompliance
- there were some phone conversations between the inspector and the property owner
- there was a re-inspection Apr 9 and again on Apr 18, 2012 and found to be in noncompliance
- Work Order was sent to Parks
- sent to Siobhan Kane, 1636 Taylor Ave
- clean-up total: \$313 + \$155 = \$468
- entered a photo from original inspection and when the Work Order was sent

Ms. Kane:

- asked what happened on the clean-up?
- someone in the neighborhood dumped their whole apartment in her back driveway while she was out of town
- so, she didn't respond as quickly as she would have liked
- there was so much stuff, it took her a while to get it all cleaned up
- everything from dirty diapers to tires, etc.
- was under the impression, it was all cleaned-up; she hauled it away herself; might have been a bag of garbage left that was picked up
- took brush to compost site

Ms. Moermond:

- she would have to look at the Video to make a decision
- recommends approval for the Excessive Consumption fee
- will view the Video for clean-up 3 weeks from now: Aug 7, 2012

**Referred to the 9/05/2012 City Council**

23 [RLH TA  
12-390](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1211A, Assessment No. 128518 at 1636 TAYLOR AVENUE.

**Sponsors:** Stark

*Laid over to review video.*

*RE: 1636 Taylor Ave (duplex)*

*Siobhan Kane, owner, appeared.*

*Inspector Joel Essling:*

- there are 2 assessments: 1) Excessive Consumption fee for non-compliance; and 2) clean-up
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- everything from dirty diapers to tires, etc.
- was under the impression, it was all cleaned-up; she hauled it away herself; might have been a bag of garbage left that was picked up
- took brush to compost site

Ms. Moermond:

- she would have to look at the Video to make a decision
- recommends approval for the Excessive Consumption fee
- will view the Video for clean-up 3 weeks from now: Aug 7, 2012

**Laid over to the 8/07/2012 Legislative Hearings**

- 26      [RLH AR  
12-94](#)      Ratifying Excessive Use of Inspection services during February 22 to April 5, 2012. (File No. J1207E, Asmt No. 128310)

**Sponsors:**      Lantry

**Referred to the 9/05/2012 City Council**

- 27      [RLH AR  
12-93](#)      Ratifying Graffiti Removal services during April 19 to May 1, 2012. (File No. J1210P, Asmt No. 128409)

**Sponsors:**      Lantry

**Referred to the 9/05/2012 City Council**

- 25      [RLH AR  
12-113](#)      Ratifying Boarding and/or Securing Services during April 2012 (File No. J1209B, Assessment No. 128109).

**Sponsors:**      Lantry

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 28      [RLH SAO  
12-21](#)      Appeal of Timothy Kelleher to a Notice to Cut Tall Grass and/or Weeds at 1540 IGLEHART AVENUE.

**Sponsors:**      Carter III

*No show; deny the appeal.*

**Referred to the 8/01/2012 City Council**

**Orders To Vacate, Condemnations and Revocations**

- 29**      [RLH VO  
12-59](#)      Appeal of Patricia Johnson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 741 PIERCE BUTLER ROUTE.
- Sponsors:**      Carter III
- Deny the appeal and grant extension to September 1, 2012 to Vacate the property.*
- RE: 741 Pierce Butler Route*
- Patricia Johnson, tenant, appeared.*
- Ms. Moermond:*
- we were going to get an inspection during this last week
  - we were going to talk about the conditions and what would be necessary to allow Ms. Johnson to stay there
- Fire Inspector Leanna Shaff:*
- Inspector Neis was allowed full access to the common areas and to the Appellant's unit
  - the only extra violation noted was a missing CO detector (email sent)
  - with the replacement of the CO, Fire would not be opposed to extending the Vacate date
- Ms. Johnson:*
- she had a friend wait at the Unit for Inspector Neis
  - she knows that the smoke detector that's downstairs has a low battery
- Ms. Moermond:*
- will grant extension to Sep 1, 2012 for the Vacate date
- Ms. Johnson:*
- would prefer Oct 1, 2012 as the Vacate date because it's so hard to find a place
- Ms. Moermond:*
- will stick to Sep 1, 2012 for the Vacate date
  - this is a case where the owner is not communicating with the city at all and Ms. Johnson has been doing the maintenance on it
  - because there's been no communication and an on-going problem with not getting the items corrected, it's appropriate, in her view, that the Fire Certificate of Occupancy be Revoked
  - originally the Vacate date was for Aug 1, 2012
  - an inspection was made to possibly grant an extension
  - she will recommend the City Council grant 1 additional month to Vacate
  - Ms. Johnson can appeal at City Council Aug 1, 2012 at 5:30 p.m.
  - after that, the department can take more enforcement action if Ms. Johnson's not out by Sep 1, 2012
  - Ms. Johnson could have Southern Minnesota Regional Legal Services represent her at City Council
- Referred to the 8/01/2012 City Council**
- 30**      [RLH VO  
12-67](#)      Appeal of David Chavez to a Notice-Order to Vacate placed on the door at 721 FOURTH STREET EAST, UNIT 1.

**Sponsors:** Lantry

*Deny the appeal; Appellant must vacate by September 1, 2012 if the issue is not resolved before then.*

*RE: 721 Fourth St E, Unit 1 (single family)*

*David Chavez, owner, appeared.*

*Inspector Jack Reardon:*

- he received a notice of the gas shut-off May 18, 2012
- Mr. and Mrs. Chavez were trying to work with RAP; apparently, Mr. Chavez makes \$500 too much even though, he is currently unemployed
- got notice of electric shut-off Jan 29, 2012
- he tried to give him extension and Mr. Chavez was trying to get some funds but nothing happened so, he did the Condemnation
- Mr. Chavez was supposed to go back to work soon and they were working with RAP, so Mr. Reardon gave them an extension
- the Condemnation / Order to Vacate was posted Jul 9, 2012
- the issues on vehicles have been taken care of

*Mr. Chavez:*

- he just started work with a company (water proofing)
- his son lives upstairs so, they are doing all the necessary essentials upstairs (he has gas / electricity)
- Xcel will work with him if he comes up with half the money which is \$2,000
- his wife is a lunch lady but she is off in the summer time
- energy should be on next Friday, Jul 27, 2012 at the latest

*Ms. Moermond:*

- at City Council Aug 1, 2012
- if the gas/electricity is back on by then, it's a moot issue
- if not, the vacate date will be Sep 1, 2012

**Referred to the 8/01/2012 1City Council**

**32**      [RLH VO  
12-62](#)

Appeal of Robert Bayer to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1607 HEWITT AVENUE.

**Sponsors:** Stark

*Deny the appeal and grant until September 15, 2012 to repair or vacate; tenant in Unit 5 must be moved out or to another unit within two weeks until Fire identifies what needs to be fixed in order for Unit 5 to be occupied*

*RE: 1607 Hewitt Ave (single family per STAMP)*

*Robert Bayer, local manager, court appointed receiver, appeared on behalf of NCKR LLC, owner of this property; it was taken back in foreclosure.*

*Fire Supervisor Leanna Shaff:*

- started as a Referral Apr 12, 2012 with an extensive list
- through a series of inspections by Inspector Imbertson, they have had difficulty gaining access or part of it, or notifying people or people not showing up for appointments, etc.
- Inspector notes: the property manager requested to keep the inspection yesterday to go through the full building so, the list that was appealed has grown

- new photos from Jun and yesterday (show quite a state of disrepair)
- 46 item list
- 5 Unit building; only 2 are occupied
- made access to the full building; updated list
- the former owners got the first (Apr 12) letter; they had walked on it and it was in foreclosure

Mr. Bayer:

- NCKR LLC, owner, is located on Wall St, NY
- he received a Letter of Intent to Purchase the building this morning
- the prospective buyer has asked for a 60-day due diligence period
- it's an "as is" purchase and he understands there's some issues
- prospective buyer has the Jul 3, 2012 list of deficiencies
- was asked not to lease any of the apartments because he wants to gut and re-do
- requests a 60-day period to get the closing done
- the issues that are pertinent to life and fire safety have been addressed
- smoke detectors, COs, have been taken care of; gave Inspector Imbertson the smoke detector affidavit yesterday
- the boiler has been looked at; letter to city is enroute
- the most egregious issues have been dealt with
- a lot of the rest of the list is cosmetic
- Mr. Imbertson said that Mr. Bayer had taken care of the most important issues and the safety of the 2 remaining tenants (Units #1 and #5)

Ms. Shaff:

- Unit #5 is on the third floor and they use the rear stairway
- the rear stairway contains rotten wood and some of the stairs are not hung properly
- joists hangers aren't hung properly; screws where there should be nails
- photo #18 of Jun set - she is concerned about the joist hanger and that there is just a deck block down at the bottom (with 3 stories of stairs)
- photo #15 shows decking to Unit #5
- photo #14 shows that they decided to have the guardrails higher
- photo #12 shows broken hanger; wood has lost a lot of integrity
- photo #11 looks like a stringer holding up the stairs
- has concerns about the structural integrity of the whole staircase and decking system (just for Unit #5 exiting)
- based on the photos of the stairway, she would Condemn that stairway

Mr. Bayer:

- has been up and down those stairs many times and there's no rotten wood - it's all been green treated
- Inspector Imbertson did not bring that to his attention yesterday

Ms. Moermond:

- asked Mr. Bayer what is going to be different in 60 days
- looks like NCKR received an appointment letter mailed Apr 16, 2012

Mr. Bayer:

- we'll have an owner who has the money to do the rehab
- he first found out about the deficiency list on Jul 2, 2012 when the Revocation was posted on the door; then, he began communication with Inspector Imbertson
- the transaction will take place within the next 60 days; he will forward the Letter of Intent to Ms. Moermond
- there are existing leases with renewal dates of Oct 1, 2012 for Unit #1 and Nov 1, 2012 for Unit #5
- the last C of O inspection goes back 6 years and some of these items should have

been taken care of by the previous owners

- doesn't have the cash in his coffers to do a lot of this rehab
- he feels that the owner will let the new buyer deal with these issues
- it seems unfair to the tenants to make them move right now
- although the list is long, most are cosmetic; the little issues can be dealt with; also, the ones which present safety issues
- seems rather foolish to make these small improvements; pay several thousands of dollars and then have the new buyer gut what they just did
- perhaps, he can get the Letter of Intent in front of Ms. Moermond and see how fast they can close; then, go from there

Ms. Moermond:

- 60 days without seeing an improvement while keeping the tenants there bothers her, especially because the owners received Notice a long time ago
- would like to see a Work Plan with deadlines from Mr. Bayer which would give the City Council something to react to
- exterior staircase and Unit #5: perhaps moving that person down to another level in one of the empty units; the staircase needs to be Condemned

Ms. Shaff:

- if this building is going to be gutted, the tenants will need to move in 60 or 90 days anyway
- is in disagreement with the inspector's evaluation of the rear exterior staircase

Mr. Bayer:

- suggests that Ms. Moermond make an Order that all of these items be addressed by Aug 31, 2012 or the C of O is Revoked with a vacate date of Aug 31, 2012 (Ms. Moermond said she hates to see a Revocation process be substituted for an actual eviction process); at that time, someone has to buy the property and start the repairs, which gives him enough time to deal with the tenants leases, etc. (the Work Plan will terminate the leases)
- he wants to see this work done as much as the city; it's embarrassing to go through the building with the inspector and see all of the things that are substandard
- there aren't that many items pertinent to Unit #1 and Unit #5
- the wires hanging in the basement are cable wires that just need to be supported (they are not electrical)
- there is one place where a strap is no longer holding the gas pipe (just needs to be replaced)
- the only thing Mr. Imbertson said about the rear exterior stairway was "remove nails and screws sticking out of guardrails and handrails and secure loose guardrails" - that's a lot less than a Condemnation and they ran up and down those stairs many times while he was there
- today, he's hearing new information about the deficiencies

Ms. Moermond:

- is not seeing a reference to the next step in the enforcement process in the Jul 16, 2012 Orders; is reasonably sure, that was pending the outcome of this hearing
- Jul 3, 2012 Orders had a 2-week Vacate on the property
- Jul 16, 2012 Orders would likely had given another 2-week Vacate on it, if the inspector were to look at it again (Ms. Shaff: he was waiting for today's outcome to set any further dates)
- would like to go with Sep 15, 2012 - the building should be Vacated or Repaired
- would like to see the tenant in Unit #5 moved to another unit within 2 weeks; would like Fire identify those things that need to be fixed in order to continue occupancy of that unit
- City Council Public Hearing Aug 1, 2012

Mr. Bayer:

- if there is anything on the list that absolutely has to be done in order to keep people in there, he is willing to do it
- if tenant in #5 refuses to move and rather get out of her lease, he will allow her to do that

**Referred to the 8/15/2012 City Council**

### 11:30 a.m. Hearings

31

[RLH VO  
12-68](#)

Appeal of Johnnie and Shelley Harris to a Fire Certificate of Occupancy Revocation and Order to Vacate 260 BAKER STREET EAST.

**Sponsors:** Thune

*Deny the appeal and grant until September 1 to vacate Unit 2 which can be extended to October 1 pending a follow up inspection.*

*RE: 260 Baker St E (duplex)*

*Johnnie and Shelly Harris, Upper Unit tenants, appeared.*

*Fire Supervisor Leanna Shaff:*

- Fire Certificate of Occupancy Inspection conducted Jun 18, 2012 by Inspector Westenhofer
- tenants have granted full access to the property, which is in foreclosure in the redemption period (tenants are aware)
- there's been no change to the repair status
- tenants are still living at the property

*Mr. Harris:*

- most of the deficiencies written are in the Lower Unit
- on a limited income; disability
- has no problem cleaning things up and fixing things
- got a letter from a realty firm saying they need to be out by Oct 1, 2012
- the landlord wants the people downstairs out
- looking for an extension to Oct 1, 2012
- after the hearing, he wants to have a meeting with the people in Unit #1 to see if they can get some things taken care of
- it should be his house; he does all the work around there
- after his accident, he lost his home and his income decreased significantly

*Ms. Shaff:*

- Revocation
- have issues with exterior staircases; loose and broken steps; loose railings on both staircases; missing ballustrades on north wooden staircase
- Unit #1 has a water leak which causes some issues in the basement, too; a licensed plumber is required; there's standing water in the basement; materials have been damaged by the standing water; it soon becomes a health issue (Mr. Westenhofer said it looks like a bathroom leak in Unit #1)

*Ms. Moermond:*

- looking at the Orders, she doesn't see many items for Unit #2 - Upper floor but there are significant issues in Unit #1 or connected with Unit #1; Vacating Unit #1 will take care of the key safety issues in the building (so could a plumber)



Mr. Bernier:

- bought property in 2005
- they already took the fence away
- the neighbor took the garage down
- they went to dispute resolution
- he owns the property to the south, which is the higher property
- the wall is about 2 1/2 feet at one end
- had a survey done in 2007
- the retaining wall is right down the center of the property line; it divides the properties
- a retaining wall is primarily built for properties that are lower
- his lot is 100 ft wide x 130 ft long and there's no alley
- the only law that they could come with that defines responsibility of a wall that exists right on the property line is English Common Law, which states that A is responsible for 25% of the cost and B is responsible for 75% of the cost
- Jim Investments LLC owns 288 Morton St E (a Registered Vacant Building, Category 2)
- Mr. Bernier and Jim are working together to get this retaining wall done

Ms. Moermond:

- will recommend the Vacant Building staff issue a parallel Order to the neighboring property at 288 Morton St E
- will recommend granting an extension to Nov 1, 2012 to finish the retaining wall

**Referred to the 8/15/2012 City Council**

35

[RLH FCO  
12-468](#)

Appeal of Binh Le to a Fire Certificate of Occupancy Correction Notice at 869 BEECH STREET (Ceiling Height).

**Sponsors:** Lantry

*Appeal granted on the upstairs and basement ceiling heights; denied on the upper floor west bedroom egress window size and extension granted to November 1, 2012 for compliance; denied on the basement egress window and extension granted to November 1, 2012 for compliance, denied on driveway and garage exterior and extension granted to November 1, 2012 for compliance, denied on remaining items and extension granted to September 1, 2012 for compliance. Upper floor southeast bedroom cannot be used as a sleeping area.*

*Referred to the 8/7/12 Legislative Hearings as Housekeeping item, for follow-up on depth of basement stair landing. City Council Public Hearing 8/15/12.*

*Binh Le, owner, appeared.*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Inspection conducted Jun 14, 2012 by Inspector Wayne Spiering (routine initial C of O inspection)
- this building had never been inspection by their office
- appealing ceiling height of upstairs bedrooms and the basement bedrooms
- house built 1909
- don't know when basement and attic remodel took place
- Inspector Spiering failed to mention the egress windows on the Correction Notice in the upper bedroom and basement bedroom do not meet code
- basement ceiling height: 79 inches at the highest point (code requires a minimum of 84 inches)
- upper west bedroom ceiling height at the highest point: 80 inches (code requires 84 inches) for approximately 3/4 of the area

- basement bedroom egress window: slider 18h x 14w with a 59 inch sill height
- upper floor southeast bedroom window #19: 17 1/2h x 20w

Mr. Le:

- first inspection
- purchased from home owner about 1 1/2 years ago
- put in additional \$18,000 dollars to improve curb appeal; the house was great
- has no argument on most repairs
- house is very charming the way it is
- would not know how to increase the ceiling heights - would need to tear the house down and rebuild
- currently, the house is valued \$60,000 - \$65,000; they paid \$125,000 and put in an additional \$18,000
- with this, they would need to put in another \$15,000 - \$20,000
- they totally renovated the inside - all cosmetic work
- entered photos
- will do all of the other repairs
- asked for a couple more weeks extension
- they also have to add pavers to their driveway

Ms. Moermond:

- will check out the photo document
- all the plaster and lathe is gone; now, it has sheetrock
- upstairs, looks like a new ceiling, probably lower than what the original ceiling was
- not seeing an Order for the landing for the basement stairs (photo shows stairway, then about 14-15 inches, then a wall); there no landing - no room to move (Mr. Neis: that's an exterior wall that sheet rock was put over; and there's no code appropriate to address this situation; if a handrail were put on, there'd be no way to access the stairs); would like the building official to look at that
- will grant a variance on the ceiling height for the upper floor west bedroom
- will grant a variance on the basement ceiling height (this is 6' 7" for the majority of the room)
- the real problem is that stairway; it may not be usable to get to a sleeping area

Mr. Neis:

- when the basement was originally built was not intended to be used for any type of living facility and when the rehab of the basement took place, it was done without permit into occupyable space (Ms. Moermond sees that permits had been pulled in the 90s but she doesn't see that they were inspected)

Ms. Moermond:

- for the upper floor west bedroom, you'll need a new window (17 1/2h x 20w)
- similarly with the basement window, you'll need a new window and a new egress window well dug
- item #19 room size: that room cannot be used as a sleeping room

Mr. Le:

- they bought this house because it's located to their property next door; easier to maintain for them

Ms. Moermond:

- the building inspector needs to look at the basement steps landing (Inspector Neis will call the building inspector about checking out the stairs)
- will recommend granting an extension to Nov 1, 2012 for the windows, the driveway, garage exterior
- will recommend granting an extension to Sep 1, 2012 on the other items on the list
- a new Order could come on the landing

Laid over to the 8/7/12 Legislative Hearings as Housekeeping item, for follow-up on depth of basement stair landing.

37 [RLH FCO  
12-461](#)

Appeal of Robin K. Chuhel to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1239 SEVENTH STREET EAST.

**Sponsors:** Bostrom

*Deny the appeal and extension granted to September 1, 2012 to vacate the building.*

*RE: 1239 Seventh St E (single family)*

*Robin Chuhel, owner, appeared.*

*Ms. Chuhel:*

- *tried to change it to a triplex; it's RT1; it's a duplex with special conditions*
- *she intends to move back into the house*
- *she told her renters they need to move out*

*Fire Inspector A. J. Neis:*

- *Fire Certificate of Occupancy Re-inspection completed Jul 6, 2012 by Inspector James Thomas*
- *several violations on the Order: noted 4 Units in the building #12; the 4th unit on the rear north side of the building*
- *this building used to be a single family dwelling*
- *was legally converted into a duplex*
- *then, it was converted into a triplex*
- *then, actually into a 4-Unit building*
- *had it been legally converted to a triplex, it would have been due for a Fire C of O inspection several years ago*

*Ms. Chuhel:*

- *it's not a 4-plex; thinks Inspector Thomas is confused*
- *if you go out the back steps, it's the same level as the 2nd floor (she told him that but he said, "No, this is a 4-plex")*
- *there's only 3 units there*
- *she will move back in; it will be a single family home again, with a mother-in-law's apartment upstairs*
- *she will clean it up and maybe, sell it*
- *she was at LH when she was trying to change it to a triplex; she was given until Jul to see if that could happen*
- *all tenants will be out by Sep 1, 2012*

*Mr. Neis:*

- *he believes that this is a duplex*
- *there had been several inspections*
- *the C of O inspection started back Feb 1, 2012; only the exterior of the building was inspected*
- *a Re-inspection took place Feb 8, 2012 (interior also) with a re-check May 8, 2012*
- *approximately 5 inspections since Feb 1, 2012 with more or less the same items showing up*

*Ms. Moermond:*

- *if Appellant deconverts to a duplex, a different set of Orders would result; some of these fire separations will go away*
- *when there are 2 Units, there's a different fire separation requirement than for 3*

*Units*

- is surprised she is not seeing a Revocation (Mr. Neis: a Revocation would have been the next step is the work was not completed by tomorrow's deadline); it will be done tomorrow pending today's outcome
- she will not recommend Ms. Chuhel get out of the C of O Program; not much has been done in these Orders
- she will recommend that the appeal be denied and an extension be granted until Sep 1, 2012 to vacate the building
- anticipate that a Revocation will happen, which is appealable

**Referred to the City Council due back on 8/15/2012**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 38 [RLH VBR  
12-41](#) Appeal of Karen and Don Weiblen to a Vacant Building Registration Fee at 536 IOWA AVENUE EAST.

**Sponsors:** Brendmoen

*Deny the appeal on the vacant building registration fees.*

*RE: 536 Iowa Ave E (single family)*

*Karen Weiblen, owner, and husband, Don, appeared.*

*Inspector Rich Singerhouse:*

- Jun 24, 2008 Category 2 Vacant Building file opened
- Aug 8, 2008 a "Seeger Only" or building only inspection was done
- the work has been underway since then, slow but sure

*Appellants:*

- believe that they have always had a valid permit
- doesn't believe it should be considered a Vacant Building; although, it qualifies under the code
- bought the house in 1989 and have lived there until 2008
- 2005, Mr. Weiblen's father died and his mother had dementia; they had lived less than 1 block away from 536 Iowa Ave E, so he had been going back and forth for years
- about 6 weeks after their last son was born, they didn't feel comfortable leaving his mother alone at night, so, they went over to her house; and slowly, the water usage became very low, etc. at 536 Iowa
- they have been continually working on 536 Iowa and are hoping to be in there by this winter but now, a "Stop Work Order" has been put on them
- perhaps, they need to take out their electrical, plumbing and mechanical
- Nov 2010, Mr. Magner waived the Vacant Building fees until Jun 2015 and said that they had the assurance of approved permits
- every 6 months, they were in contact with Mr. Magner concerning their progress
- this came as a surprise
- what preceded this was that Virgil Thomas was across the street doing a roof inspection while they were working on their siding; he came across the street to them and said, "You're going to have to tear off stuff because I haven't seen this; I haven't seen the roof; I haven't seen the siding; things will need to be torn off."
- then, they called Mr. Magner; shortly after that, they received a call from Steve Ubl,

who wanted to know what the inspector had said

- that's when things changed
- they do plan to finish the project; for sure, they will be holding a graduation party their next spring
- they are doing all the work themselves; they have only hired out the excavating
- Mrs. Weiblen lost her job in 2011
- Mr. Magner has been very supportive of their project but they have not had a lot of support from the inspection department
- they are at the point of taking out the plumbing permit; the electrical permit application is all filled out
- since it's a Cat 2, they are not allowed to take out a plumbing permit as a home owner

Ms. Moermond:

- pulling up their Code Compliance Inspection Report (building only)

Mr. Singerhouse:

- the Appellants can't pull the permits because of the Vacant Building fees
- Mr. Magner told him that "It's enough! They have to pay their fees."
- this is the first he's heard about "2015" (Appellants provided a copy of Mr. Magner's statement)
- Mr. Magner said that if the Appellants didn't have the work done, they would need to pay the VB fee
- that's when the Appellants decided to appeal
- talked with Inspector Seeger, who said that the Weiblen's will need a full Code Compliance Inspection now
- asked if Appellants had talked with Mr. Magner on Mar 18, 2011: "reduced waiver period to 6-24-12 per Magner"
- the building does look great - they are doing a great job
- assessment would probably not come through until Oct 2012

Appellants:

- in Mr. Magner's communication, it didn't seem to be an ultimatum
- District 5 wrote a letter of support for them
- knows that this is an odd situation; they understand that it's taking longer than they anticipated
- they feel that they got caught up in the system
- already have \$70,000 invested in the house now, beyond the mortgage
- they are going to live in this house

Ms. Moermond:

- advised Appellants to talk with the county to get their property value decreased while it's a Registered Vacant Building
- thinks that the Weiblen's need to pay the VB fee and yet she doesn't want to hold up their rehab
- will recommend waiving the VB fee pending it's assessment so, they can pull permits between now and when it gets assessed and they can appeal it when it gets assessed; at that juncture, she imagines she would say they could divide the assessment over a number of years to make it hurt less
- if the Weiblen's can show her that they can have it done by Jan 31, 2013, she would delete half the VB assessment and hold the case over to see if they met that goal and decrease it accordingly
- we'll go ahead with that recommendation
- looks as though they will need to pay the VB fee; you can pull permits
- they will get a letter in Oct 2012 saying that they are proposing it as a tax assessment and there would be a hearing scheduled on that both here and with the City Council

**Referred to the 8/15/2012 City Council****39**      [RLH VBR  
12-42](#)

Appeal of Craig and Elsie Fohrenkamm to a Vacant Building Registration Notice at 744 Third Street East.

**Sponsors:**      Lantry

*Laid over to August 14 Legislative Hearings. (8/15 CPH)*

*RE: 744 Third St E (general retail & SVC - B-Commercial)*

*Elsie Fohrenkamm, owner, and husband, Craig Fohrenkamm, appeared, along with Andy Dick, who may be interested in purchasing the property.*

*Inspector Rich Singerhouse:*

- Jun 19, 2012 - opened up a Category 2 Vacant Building file opened due to the C of O Revocation and multiple exterior violations: peeling paint; window frames rotted; eaves and soffits in disrepair
- talked with Ms. Fohrenkamm a couple of times, who recommended that if nothing else, go through the appeals' process to see if it can be worked out
- explained team inspection for a Cat 2 VB
- has not been on the inside of this property

*Ms. Fohrenkamm:*

- they have owned the building since 1978; it was a derelict auto service station at the time
- they brought it up to code and got a license for an auto body shop: Le Painter
- they ran the business, made improvements and an office addition; 2 extra bays at the back of the building; a paint booth; the tanks from the previous gas station were removed at their expense; the driveway was improved; employed up to 5 people and paid taxes; kept codes in compliance; supported the children's softball league; participated in Dayton's Bluff Neighborhood Renewals, Crime Prevention, and Craig personally paid for 3 of his Hmong employees to get their citizenship after 9-11
- in 2007, Craig suffered a stroke after having by-pass surgery
- their daughter operated the shop until 2010 when they sold it on contract for deed on Jan 2010
- unfortunately, the purchaser was not a very mature person; he quite paying the middle of last year; so, they went through the legal process to get the building back
- trying to get the building back to where it was
- it's structurally sound - not falling down; it's secure; there's been no vandalism problems; they have good neighbors who have been watching the property
- there's been no crime; they have let neighbors who have no off-street parking, park there
- taxes have been paid on time (\$7,000 per year)
- the auto body license expired 10-16-11
- the hazardous waste generator licensed expired 4-30-12
- she is appealing for more time
- the property is listed with a realtor
- they paid \$30,000 for the building and put in numerous improvements
- selling it for a loss at \$125,000 (Craig's retirement)
- she'd like some extension; some leniency on the VB fee
- has been contacted by Andy Dick, who may be interested in purchasing it
- entered documents
- they had a plumber and mechanical person in there and they said it looked great
- inspectors won't find a whole lot wrong with it
- they have always taken care of things in an immediate fashion

- they rebuilt 3 houses on that street that had been Condemned
- they have been good neighbors

Ms. Moermond:

- commercial building so, it's not subject to the sale review process
- the property can be sold at any time
- whoever opens up a business will need to get a Fire C of O inspection
- you can sell it without a C of O inspection
- the Vacant Building definition says it's turn-key property if it's been empty for 1 year (this place hasn't been empty for a year, so, it wouldn't even be eligible to go into the VB Program)
- what gets this property notices is that the building is: 1) empty; 2) there's a Revoked C of O; and 3) there are some exterior violations going on

Mr. Dick:

- as a prospective buyer, a Cat 2 will take a lot more time and money before one could do business and a lot of car mechanics, etc., don't want to go through all of that
- since it's been vacant for only a short period of time and the building is secure; there's a lot of cameras
- they're showing the building, they have a realtor; they have people interested
- they want to get it occupied ASAP, at least before winter
- thinks that getting an extension of a Category 1 would be fair since it hasn't been vacant for very long
- the exterior violations are relatively minor and there's a good neighbor relationship
- a Cat 1 will get occupied a lot quicker and have someone taking care of it
- the inside is clean and in good shape

Ms. Moermond:

- would really like to have an inspection report on this; would like Dave Bergman to go out and write Orders on it
- the last C of O Jan 2011 was very light
- will Lay this over for 3 weeks to give the inspection a chance to take place
- Mr. Bergman will be looking at it from a Fire Prevention potential; she is looking it at it from a building perspective (perhaps, he could get Ms. Shaff to go with)
- she can work with them on the VB fee

**Referred to the 8/14/2012 Legislative Hearings**

40 [RLH VBR  
12-44](#)

Appeal of John Schillinger, Trustee; Desert Capital Trust; to a Vacant Building Registration Notice at 1340 STILLWATER AVENUE.

**Sponsors:** Bostrom

**Withdrawn**

43 [SR 12-46](#)

Reviewing Appeal of Joel Anderson to a Fire Certificate of Occupancy Correction Notice at 534 FOREST STREET.

**Sponsors:** Lantry

*Deny the appeal and grant until October 1, 2012 for compliance. (Must show fire inspector a specific plan by August 15 to address the code problem.)*

*RE: 534 Forest St (single family)*

*Joel Anderson, owner, appeared.*

Mr. Anderson:

- last heard during the winter, right after Christmas
- he was given extensions until July 2012 to finish exterior work
- the Class 5 driveway needed to be cleaned-up; original Order was for it to be paved
- the garage is more of a storage shed
- he proposes to put up a fence, put down more Class 5 and put down landscape timbers to make neat boundaries
- wants an extension to Oct 1, 2012

Ms. Moermond:

- Inspector Spiering emailed photos (all looked at the photos together)
- Aug 15, 2012 - Appellant needs to provide a specific plan to fire inspector, who needs to approve it (sign-off)
- has been an open issue for 7 months
- Class 5; pavers; etc.
- will grant an extension to Oct 1, 2012 to come into compliance

**Received and Filed**

## Staff Report

- 41**      [RLH FCO  
12-377](#)      Appeal of Shah Vang to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1114 BUSH AVENUE.
- Sponsors:**      Lantry
- July 17, 2012 - Deny the appeal on the driveway and grant until October 31, 2012 for compliance; deny the appeal on the fire prevention issue in the basement and grant until December 1, 2012 for compliance. (No diagram was submitted)*
- July 10 - Forthcoming on the fire rated door*
- June 19, 2012 - Deny the appeal on the driveway and grant 30 days for compliance; forthcoming on the fire rated floor. Ms. Moermond requests that a diagram of the basement be submitted for her review.*
- Referred to the 8/15/2012 City Council**
- 42**      **RLH FOW  
12-271**      Appeal of Kevin McGill to a Fire Certificate of Occupancy Correction Notice at 616 LEXINGTON PARKWAY SOUTH.
- Sponsors:**      Carter III
- Laid over to 7/24/12 LH Housekeeping. Photo requested.*
- 7/24/12 LH Housekeeping - Photo of windows requested.**

## 9:00 a.m. Hearings

- 44**      **RLH FOW  
12-202**      Appeal of Timothy R. Moore to a Fire Inspection Correction Notice at 830 GRAND AVENUE, UNIT 2.
- Sponsors:**      Thune
- Deny the appeal on the slider egress window unless it can be modified to a European*

*style door window and grant 90 days for compliance.*

**Referred to the 8/15/2012 City Council**

**Window Variances: No Hearing Necessary**

- 45 RLH FOW 12-266** Appeal of Richard Sanchez to a Fire Inspection Correction Notice at 463 HAMLIN AVENUE SOUTH.
- Sponsors:** Tolbert
- Grant a 7-inch variance on the openable height of the windows in the two bedrooms on the first floor measuring 21 inches wide by 17 inches high.*
- Referred to the 8/15/2012 City Council**
- 46 RLH FOW 12-267** Appeal of Terry Gorman, on behalf of Macalester College, to a Fire Inspection Correction Notice at 53 MACALESTER STREET.
- Sponsors:** Tolbert
- Grant a 4-inch variance on the openable height of one double-hung window in the second floor front bedroom measuring 20.25 inches high by 29.25 inches wide.*
- Referred to the 8/15/2012 City Council**
- 47 RLH FOW 12-268** Appeal of Terry Gorman, on behalf of Macalester College, to a Fire Inspection Correction Notice at 1673 PRINCETON AVENUE.
- Sponsors:** Tolbert
- Grant a 2-inch variance on the openable height of one double-hung window in the front bedroom measuring 19.5 inches high by 29 inches wide, and one double-hung window in the rear bedroom measuring 22.75 inches high by 29 inches wide.*
- Referred to the 8/15/2012 City Council**
- 48 RLH WP 12-83** Appeal of Merit Building Co. Inc., on behalf of Danohe A. Estrada, to an Egress Window Non-Compliance Determination at 1354 SIXTH STREET EAST.
- Sponsors:** Lantry
- Grant a 3- inch variance on the openable height of three casement windows measuring 36 inches high by 18.5 inches wide.*
- Referred to the 8/15/2012 City Council**
- 49 RLH FOW 12-269** Appeal of Terry Gorman to a Fire Inspection Correction Notice at 1667 ST. CLAIR AVENUE.
- Sponsors:** Tolbert
- Grant a 9-inch variance on the openable height of the egress window in the front bedroom and grant a 3-inch variance on the openable height of the egress window in the side bedroom.*
- Referred to the City Council due back on 8/15/2012**

**50**      **RLH FOW**  
**12-272**

Appeal of Terry Gorman, on behalf of Macalster College, to a Fire Inspection Correction Notice at 222 VERNON STREET.

**Sponsors:**      Tolbert

*Grant 4-inch variances on the openable height of one double-hung window in the first floor bedroom measuring 20 inches high by 31 inches wide ; one double-hung window in the first floor rear bedroom measuring 20.75 inches high by 31 inches wide; and two double-hung windows in the second floor two bedrooms measuring 20.5 inches high by 25 inches wide.*

**Referred to the 8/15/2012 City Council**